

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: February 15, 2006

CALLED TO ORDER: 5:35 p.m.

ADJOURNED: 6:37 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chairwoman
Greg Bowes
Sherron Franklin
William Oliver
Lincoln Plowman
Lynn McWhirter
Scott Schneider

Absent Members

Vernon Brown

AGENDA

PROPOSAL NO. 78, 2006 - reappoints Brian Carney to the Animal Care and Control Board

"Do Pass"

Vote: 7-0

PROPOSAL NO. 79, 2006 - reappoints Robert A. Brown to the Board of Public Safety

"Do Pass"

Vote: 7-0

PROPOSAL NO. 80, 2006 - reappoints Kim Robinson to the Board of Public Safety

"Do Pass"

Vote: 7-0

PROPOSAL NO. 81, 2006 - reappoints Al Polin to the Citizens Police Complaint Board

"Do Pass"

Vote: 7-0

PROPOSAL NO. 82, 2006 - appoints Raymond Pierce to the Indianapolis-Marion

County Forensic Services Board

"Stricken"

Vote: 7-0

PROPOSAL NO. 83, 2006 - approves an increase of \$50,288 in the 2006 Budget of the Marion County Sheriff's Department (State and Federal Grants Fund) to pay for overtime of deputies involved in the F.B.I. Joint Terrorism Task Force, the Drug Enforcement Administrations Task Force, and the Organized Crime Drug Enforcement Task Force

"Do Pass"

Vote: 7-0

PROPOSAL NO. 84, 2006 - approves an increase of \$74,287 in the 2006 Budget of the Marion County Sheriff's Department (State and Federal Grants Fund) to provide support for the many and varied needs of the Marion County Jail, funded by the State Criminal Alien Assistance Program of the Department of Justice

"Do Pass"

Vote: 7-0

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PROPOSAL NO. 85, 2006 - approves an increase of \$292,331 in the 2006 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to reappropriate unspent balances from seven previously approved US Department of Justice grants and to appropriate four new grants from the Federal Highway Traffic Safety agency
"Do Pass" Vote: 7-0

PROPOSAL NO. 86, 2006 - approves an increase of \$64,859 in the 2006 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to purchase equipment needed by the Firearms Unit of the crime lab, financed by a grant awarded by the Indiana Criminal Justice Institute on behalf of the US Department of Justice
"Do Pass" Vote: 7-0

PROPOSAL NO. 87, 2006 - approves a transfer and new appropriations totaling \$896,335 in the 2006 Budget of the Marion County Justice Agency (Federal Law Enforcement Equitable Sharing Fund and Federal Grants Fund) to share federal forfeiture revenues resulting from investigations and prosecutions involving the Metro Drug Task Force and to implement a US Department of Justice "Project Safe Neighborhood" grant to reduce gun crime and gun violence, financed by transfers and new federal funds
"Do Pass" Vote: 7-0

PROPOSAL NO. 88, 2006 - approves a transfer of \$50,000 in the 2006 Budget of the Marion County Coroner (County General Fund) to provide funding for purchasing necessary supplies for use in performing autopsies, financed by a transfer between characters
"Do Pass" Vote: 6-0

PROPOSAL NO. 89, 2006 - approves a transfer of \$51,440 in the 2006 Budget of the Marion County Public Defender Agency (County General Fund) to pay for one full time attorney to represent clients in the major felony court ("drug court")
"Do Pass" Vote: 5-0

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PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, February 25, 2006. Chairwoman Mary Moriarty Adams called the meeting to order at 5:35 p.m. with the following members present: Greg Bowes, Sherron Franklin, William Oliver, Lincoln Plowman, Lynn McWhirter, and Scott Schneider. Absent was Vernon Brown. Also present was Bart Brown, the Council's Chief Financial Officer.

PROPOSAL NO. 78, 2006 – re-appoints Brian Carney to the Animal Care and Control Board

Brian Carney stated that he is not being re-appointed, but appointed for the first time. He said that he works at the Health and Hospital Corporations doing property management. Mr. Carney stated that he has a key interest in animal welfare. He said that he sees the importance of animal shelters for both the animals and the community and he will like to do his part to help out.

Councillor McWhirter moved, seconded by Councillor Plowman, to send Proposal No. 78, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 79, 2006 - reappoints Robert A. Brown to the Board of Public Safety

Chairwoman Moriarty Adams received consent to hear Proposal No. 79, 2006. Robert Brown was not able to be at the meeting.

Chairwoman Moriarty Adams said that Mr. Brown was currently out of the country and has passed his background check.

Councillor Bowes moved, seconded by Councillor Oliver, to send Proposal No. 79, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 80, 2006 - reappoints Kim Robinson to the Board of Public Safety

Kim Robinson stated that she have been a member of the Board of Public Safety for one year and six months. She said that she has lived in Indianapolis for 13 years and has been practicing law for about nine of those years. Ms. Robinson said that for the last seven years about 50 percent of practice has been in the area of criminal defense. She said based on her life experiences, coupled with special experiences, she brings a unique perspective the Board of Public Safety.

Councillor Schneider moved, seconded by Councillor McWhirter, to send Proposal No. 80, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 81, 2006 - reappoints Al Polin to the Citizens Police Complaint Board

Al Polin stated that he retired in 1992 and he is glad that he is involved in the process, and he believes everyone should get involved and make a difference.

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Councillor Oliver asked if there were any citizens that had problems with the location of the office for making complaints. Mr. Polin answered in the negative.

Councillor Oliver moved, seconded by Councillor Bowes, to send Proposal No. 81, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 82, 2006 - appoints Raymond Pierce to the Indianapolis-Marion County Forensic Services Board

Chairwoman Moriarty Adams stated that Raymond Pierce's term is not up until October and asked for a motion to strike the proposal.

Councillor Schneider moved, seconded by Councillor McWhirter, to "Strike" Proposal No. 82, 2006. The motion carried by a vote of 7-0.

Consent was given to hear Proposal No. 83, 2006 and Proposal No. 84, 2006 together.

PROPOSAL NO. 83, 2006 - approves an increase of \$50,288 in the 2006 Budget of the Marion County Sheriff's Department (State and Federal Grants Fund) to pay for overtime of deputies involved in the F.B.I. Joint Terrorism Task Force, the Drug Enforcement Administrations Task Force, and the Organized Crime Drug Enforcement Task Force

Major Ronald Chappell, Marion County Sheriff's Department (MCSD) stated that this funding is reimbursements of overtime that is paid to the deputies, and the funding comes from the various Federal agencies. The first is the F.B.I. Joint Terrorism Task Force, and there is one deputy that works with the F.B.I. The next is the Drug Enforcement Administration (DEA) and there is a deputy that works with the DEA to investigate and prosecute various crimes. The third is the Organized Crime Drug Enforcement, which involves five deputies who are assigned to more specific drug crimes. These programs started in October of 2005 and will run through September 30, 2006.

Councillor Schneider asked if the officer that was involved in the anti-terrorism task force has additional duties outside of the task force. Major Chappell stated that the deputy is assigned on the task force full time. Councillor Schneider asked if this position is a result of the 911 attacks. Major Chappell answered in the affirmative.

Councillor Oliver asked what constitutes action to alert the FBI's terrorist team. Major Chappell stated that it depends on the level of the threat of whether the FBI's terrorist team would get involved.

PROPOSAL NO. 84, 2006 - approves an increase of \$74,287 in the 2006 Budget of the Marion County Sheriff's Department (State and Federal Grants Fund) to provide support for the many and varied needs of the Marion County Jail, funded by the State Criminal Alien Assistance Program of the Department of Justice

Major Chappell stated that Proposal No. 84, 2006 is an ongoing grant that comes from US Customs for housing illegal immigrants in the jail. Each year MCSD does a census of the jail inmates to find the illegal immigrants in the jail. This information is reported to US Customs and they pay for this service.

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This funding will be use to pay for upgrades in the jail.

Councillor McWhirter asked why illegal immigrants are being housed in the MCSD jail. Major Chappell stated that the immigrants only stay in the jail for three or four days before they are sent to the Federal jail.

Councillor McWhirter moved, seconded by Councillor Plowman, to send Proposal Nos. 83 & 84, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 85, 2006 - approves an increase of \$292,331 in the 2006 Budget of the Department of Public Safety, Police Division (Federal Grants Fund) to reappropriate unspent balances from seven previously approved US Department of Justice grants and to appropriate four new grants from the Federal Highway Traffic Safety agency

Jeff Seidenstein, Office of Finance and Management, stated that there is a technical amendment in the ordinance that would change the language from \$232,331 to \$292,331.

Councillor Schneider moved, seconded by Councillor McWhirter, to "Amend" Proposal No. 85, 2006. The motion carried by a vote of 7-0.

Elizabeth Allison, Indianapolis Police Department Grant Manager, stated that there are seven grants that have already been through processing that are just being re-appropriated. The first three are the SUMO, Westside, and CNN Weed & Seed. Each one of them has funding to the police department for investigative supplies. In SUMO Weed & Seed, of the \$25,000 that is being re-appropriated, \$20,000 of that will go to the community courts and \$5,000 will go to the University of Indianapolis for evaluations of the community court process and projects in the SUMO neighborhood. In addition, two of the grants have funding which will be used for police investigative equipment. Ms. Allison stated that Internet Crimes against Children is a small grant that comes from the Indiana State Police. They pay for the cell phone of the vice-officers involved in that program and a small amount of money to purchase some equipment. She said that Grants to Encourage Arrest is the project with the Julian Center and there is a small amount of money that will be used for training. Ms. Allison stated that the G.R.E.A.T grant totaling \$82,986 will fund the G.R.E.A.T. program from January through June and the summer camp. The next grant is the Local Law Enforcement Block Grant. The total amount is \$33,514 and this will purchase one vehicle and some other equipment. The last is the Highway Traffic Safety Grant, which has given \$132,462 that will be used for overtime.

Councillor McWhirter moved, seconded by Councillor Schneider, to send Proposal No. 85, 2006 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 86, 2006 - approves an increase of \$64,859 in the 2006 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to purchase equipment needed by the Firearms Unit of the crime lab, financed by a grant awarded by the Indiana Criminal Justice Institute on behalf of the US Department of Justice

Michael Medler, Director of the Forensic Services Agency, stated this funding will pay for the equipment needed by the crime lab that will be used by the newly hired examiner.

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Councillor Bowes asked how far the agency was backlogged on firearm analysis. Mr. Medler stated that they are backlogged by about 389 cases. Councillor Bowes asked if the newly hired examiner would help cut down the backlog. Mr. Medler answered in the affirmative.

Councillor Schneider moved, seconded by Councillor Oliver, to send Proposal No. 86, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 87, 2006 - approves a transfer and new appropriations totaling \$896,335 in the 2006 Budget of the Marion County Justice Agency (Federal Law Enforcement Equitable Sharing Fund and Federal Grants Fund) to share federal forfeiture revenues resulting from investigations and prosecutions involving the Metro Drug Task Force and to implement a US Department of Justice "Project Safe Neighborhood" grant to reduce gun crime and gun violence, financed by transfers and new federal funds

Rose Ciesielski, Chief Financial Officer of the Marion County Justice Agency (MCJA), stated that the first part of this ordinance, concerning the Metro Drug Task Force. This shift of funds from the Equitable Sharing Fund to the Shared Federal Forfeiture would allow the Metro Drug Task Force to comply with Federal guidelines of spending their Federal funds within a two-year period. She said the second part of this ordinance is requesting a shift in some Federal grant fund budgets for 2006 for a total increase of \$713,688 for the Project Safe Neighborhood grant award. This program is a commitment to reduce gun control and gun violence, by working with local programs, and additional training. Ms. Ciesielski said that there is an increase to MCJA's Character 01 by \$333,990 and this only to fund the current staff. There are no new FTE's.

Councillor Oliver moved, seconded by Councillor Bowes, to send Proposal No. 87, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 88, 2006 - approves a transfer of \$50,000 in the 2006 Budget of the Marion County Coroner (County General Fund) to provide funding for purchasing necessary supplies for use in performing autopsies, financed by a transfer between characters

Alfarena Ballew, Deputy Chief of the Marion County Coroner's office, stated that the County Coroner contracts with Indiana University (IU) to provide autopsy services. She said they currently do death investigations for natural deaths that are not attended by a physician, homicides, suicides, motor vehicle accidents, unexpected child deaths, and other deaths that are suspicious or questionable. She said that they investigate over 1,500 cases. Ms. Ballew stated that within the last year IU has terminated the contract with the Coroner's offices and it left the office without the services that they provided before. The current pathologist now provides these services. She said that there were some unforeseen financial obligations that IU had absorbed for the last ten years that the Coroners office now has to take on. However, the budget is currently not sufficient enough to absorb those costs. The purpose of this ordinance is to move these funds from Character 03 to Character 02 to pay for the supplies needed to perform autopsies. Ms. Ballew stated that this request is a bandage for the cost of the purchases that are needed in order to conduct autopsies. Mr. Kenneth Ackles, Marion County Coroner, stated that when IU did the autopsies there were a lot of fees that they paid that the Coroners office was not aware of.

Councillor Schneider asked what exactly the funding will pay for. Ms. Ballew said that the money is

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typically used to pay for services such as toxicology reports, laundry that is used by the pathologist, and waste removal.

{Clerk's Note: Lincoln Plowman left at 6:00 p.m.}

Councillor Oliver asked if the group that was hired in to do the work is paid a competitive wage. Ms. Ballew stated that there is a \$300,000 difference in the pay to contract this new autopsy service.

Councillor McWhirter moved, seconded by Councillor Bowes, to send Proposal No. 88, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 6-0.

PROPOSAL NO. 89, 2006 - approves a transfer of \$51,440 in the 2006 Budget of the Marion County Public Defender Agency (County General Fund) to pay for one full time attorney to represent clients in the major felony court ("drug court")

Vicky Ursalskis, Chief Counsel for the Marion County Public Defender Agency, stated that this proposal would clasp two part-time contracts that were \$25,720 each and put it into one full time position. This person would take over the workload of the two contracted positions previously represented. She that the judge is trying to make the court more efficient and help keep up with the workload. She said that the \$51,440 would be moved from Character 03 to Character 01 to pay for this position.

{Clerk's Note: Sherron Franklin left at 6:12 p.m.}

Councillor Schneider asked if there would be a change in the FTE if the City converts two contractual positions to an in-house position. Mr. Seidenstein stated that approved FTE's for County agencies are a part of the budget ordinance for 2006 and should have been included in the ordinance, specifically to authorize an increase of one FTE in this agency. Mr. Seidenstein stated that he would have that amendment before the next full Council meeting.

Councillor Bowes asked if this full time position would help meet all the guidelines, and if so if it would help with the 25 percent reimbursement of the money that is spent for the public defense from the State. Ms. Ursalskis said that the reimbursement would be 40 percent.

Chairwoman Moriarty Adams asked if the \$51,440 included fringes and benefits. Ms. Ursalskis answered in the negative. She said that the agency will absorb the cost of the benefits.

Councillor McWhirter asked if the \$51,440 was competitive to other public defenders. Ms. Ursalskis stated that the COIT request was to change the baseline figure to hire and keep employees in the agency. She said that she is not sure how competitive the agency is with the outside world.

Mr. Seidenstein asked if Proposal No. 89, 2006 could be amended by adding a new Section. five that read:

As provided in section 5.02 (l) of the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005), the number of authorized full time equivalent positions (FTE) is established for each County agency. For the Public Defender Agency, the number of authorized FTE is hereby increased from 165 to 166 full time positions.

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Councillor McWhirter moved, seconded by Councillor Bowes, to “Amend” Proposal No. 89, 2006 by adding the above language. The motion carried by a vote of 5-0.

Councillor Bowes moved, seconded by Councillor Schneider, to send Proposal No. 89, 2006 to the full Council with a “Do Pass as Amended” recommendation. The motion carried by a vote of 5-0.

CONCLUSION

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 6:37 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman
Public Safety and Criminal Justice Committee

MMA/rjp